

United States District Court
Albuquerque, New Mexico

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New MexicoMitchell R. Elfers
Clerk of CourtUnited States of America
v.
Malachi Alan CROCKETT
YOB 2005Case No. **23mj547**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 21, 2023 in the county of Bernalillo in the
District of New Mexico, the defendant(s) violated:*Code Section*
18 U.S.C. § 2119
&
18 U.S.C. § 924(c)*Offense Description*
Carjacking
&
Use of a firearm in the commission of a crime of violence

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.
*Complainant's signature*Special Agent Sarah Rich, FBI
Printed name and title

Telephonically sworn and electronically signed.

Date: March 27, 2023City and state: Albuquerque, New Mexico
*Judge's signature*Hon. John F. Robbenhaar, U.S. Magistrate
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, Sarah Rich, being duly sworn, depose and say:

INTRODUCTION AND CRIMINAL CHARGES

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been so employed since November of 2014. As such, I am a federal law enforcement officer within the meaning of Rule 41 of the Federal Rules of Criminal Procedure (FRCP). I am assigned to the Albuquerque Field Office of the FBI and the FBI's Violent Crime Task Force (VCTF). I have received on-the-job training from other experienced agents and detectives in the investigations of gang-related crimes, narcotics trafficking, firearms violations, carjackings, Hobbs Act robberies, bank robberies, homicides, assaults, terrorism violations, and cybercrime. My investigative training and experience includes, but is not limited to, interviewing subjects, targets, and witnesses; writing affidavits for and executing search and arrest warrants; managing cooperating sources; collecting evidence; conducting surveillance; and analyzing public records.

2. This affidavit is based on information obtained from my personal observations, my training and experience, information obtained from other law enforcement officers and witnesses, and records I have reviewed. This affidavit does not set forth all of my knowledge nor summarize all of the investigative efforts in this investigation. This affidavit is in support of a criminal complaint and an application for a warrant to arrest **MALACHI ALAN CROCKETT (CROCKETT)**, year of birth ("YOB") 2005, who I have probable cause to believe committed violations of 18 U.S.C. § 2119 – Carjacking, and 18 U.S.C. § 924(c) – Use of a firearm in the commission of a crime of violence.

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STATEMENT OF PROBABLE CAUSE

First Carjacking

3. On March 21, 2023, at approximately 5:33PM, Albuquerque Police Department (APD) personnel were dispatched to the area of 86th St SW and Tower Rd SW, Albuquerque, New Mexico, in reference to a carjacking. Upon law enforcement contact with victim Jane Doe 1, Jane Doe 1 reported that while she was driving southbound on 86th St SW to Tower Park for her son's baseball game she stopped at the intersection of 86th St SW and Tower Rd SW. Jane Doe 1 observed three males crossing the crosswalk who then started to approach her vehicle. One of the males, described as a Native American or Latino with brown hair wearing an oversized purple hoodie, approached her door and began to pull on the door handle. Jane Doe 1 was able to see the perpetrator's face as he was not wearing a mask. Jane Doe 1 also observed the two other males move to the passenger side of her vehicle, at which time the male in the purple hoodie brandished a black pistol with an extended brown magazine, pointing the firearm directly at Jane Doe 1. Jane Doe 1 opened her car door and fled her from her vehicle. The vehicle is more fully described as a white Nissan Sentra bearing license plate BJGL78.

4. A juvenile subject, Juvenile 1 (YOB 2005), was later taken into police custody wearing clothing similar in appearance to the description provided by Jane Doe 1, and during a field identification Jane Doe 1 was able to positively identify Juvenile 1 as the carjacker wearing the purple hoodie who pointed the black pistol with the brown extended magazine at her.

Second Carjacking

5. On March 21, 2023, at approximately 5:44PM, APD personnel were dispatched to the area of Cartagena Ave SW and Valley View Dr SW in Albuquerque in reference to another carjacking. Upon law enforcement contact with Jane Doe 2, Jane Doe 2 reported she had been

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parked on the shoulder of Cartagena Ave SW at the south side of Westgate Community Park. Jane Doe 2 was sitting in the driver's seat of her vehicle waiting for her children when she observed a white sedan with a flat tire pull in front of her, blocking her from being able to drive forward. At that point two males exited from the white sedan and walked towards her car. Jane Doe 2 was focused on the male subject who walked to her driver's door pointing a black handgun at her head. Jane Doe 2 described the perpetrator as a young male wearing joggers and a hoodie. The male said, "Get the fuck out, bitch!", at which time Jane Doe 2 exited the vehicle and the subjects fled in her gray Chevrolet Traverse.

6. As described further below, this male was later apprehended by APD personnel in clothing matching Jane Doe 2's and other witnesses' descriptions and was identified as **CROCKETT**.

Third Carjacking (Attempt)

7. At the same time as the second carjacking, Jane Doe 3 was near Westgate Community Park and observed this second carjacking. While she was parked, Jane Doe 3 observed multiple males exit a white Nissan sedan and approach a vehicle with a lone female inside (Jane Doe 2). Jane Doe 3 observed two males with guns carjack the woman at gunpoint and enter her vehicle, which Jane Doe 3 described as possibly a blue GMC Acadia (this vehicle was later determined to be Jane Doe 2's gray Chevrolet Traverse).

8. Jane Doe 3 was talking on her phone at the time of the incident and drove past the white Nissan sedan, at which point the white Nissan sedan began to follow Jane Doe 3. The white Nissan then pulled up next to Jane Doe 3, the occupants pointed firearms at her, and then drove the Nissan in front of her, cutting her off. Male subjects then exited the white Nissan and approached Jane Doe 3 with guns, causing Jane Doe 3 to flee in her vehicle, accelerating away and

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hitting a white truck parked on the street across from Westgate Community Park. Jane Doe 3 heard multiple gun shots and observed the recently carjacked vehicle whose theft Jane Doe 3 had witnessed drive down the street towards her before hitting a tree. A male subject then exited the vehicle with a handgun and started to approach Jane Doe 3, at which time Jane Doe 3 attempted again to flee in her vehicle. Jane Doe 3 saw the white Nissan following her and observed the occupants shooting at her vehicle, at which point Jane Doe 3 lost control of her vehicle and crashed into a residence on Crandall Street. The white Nissan stopped, and the subjects exited the vehicle with firearms, approaching Jane Doe 3, causing Jane Doe 3 to flee the vehicle on foot in fear for her life. Upon interview Jane Doe 3 could only describe the subjects as young males with one wearing a dark-in-color, possibly blue, hoodie.

9. APD personnel responding to this incident near Westgate Community Park found a white Chevrolet truck that appeared to have been crashed into, as well as the gray Chevrolet Traverse of Jane Doe 2. In addition, a bullet impact was noted to an occupied residence with address 10300 Cartagena Ave SW, with no associated injuries to the occupants of the home.

Fourth Carjacking (Attempt)

10. Also on March 21, 2023, between 5:44PM and 5:50PM, APD personnel received a call for service for an aggravated assault. Victims Jane Doe 4 and John Doe 1 reported they were driving near Carlos Rey Elementary school located at 1215 Cerrillos Rd SW in Albuquerque when they saw a white Nissan Sentra with heavy damage on the side of the road. A young male exited the white Nissan with a handgun and ran towards Jane Doe 4 and John Doe 1, pointing the handgun at them and reaching for the driver's side door handle. As he reached for the handle, Jane Doe 4 drove away from the perpetrator at a high rate of speed in fear for their lives. Jane Doe 4 and John Doe 1 provided a clothing description of the male subject that matched that of Juvenile 1, who was

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taken into custody after carjacking another vehicle a few minutes after the encounter with Jane Doe 4 and John Doe 1.

Fifth Carjacking

11. At approximately 5:50PM on March 21, 2023, APD personnel were dispatched to the area of Cartagena Ave SW and Valley View Dr SW in Albuquerque in reference to a carjacking, during which time multiple alerts were being generated for numerous carjackings and ShotSpotter activations in the area. Upon contact by APD personnel, carjacking victim Jane Doe 5 reported that as she approached the intersection of Barbados Ave SW and Gibson Blvd SW in her red Chevrolet Spark, a white vehicle drove up and parked in front of her, blocking her vehicle. Jane Doe 5 thought the occupants of the vehicle may need assistance, so she stopped her car and pulled her keys out of the ignition to exit her vehicle. She then observed three masked males exit the white vehicle and approach her, all armed with handguns and wearing dark clothing. The males yelled at Jane Doe 5 to give them the car keys, at which time Jane Doe 5 threw the keys to the ground. One of the perpetrators picked up her keys, entered her vehicle and drove away, with the other offenders driving away in the white sedan that had previously blocked her.

12. Shortly after this fifth incident, APD officers observed the stolen red Chevrolet Spark driving eastbound on Central Avenue, and a pursuit of the vehicle was authorized. The stolen vehicle crashed near the area of Atrisco Dr SW and Bridge Blvd SW in Albuquerque. Four males originally occupied the vehicle, and three of the four attempted to flee in different directions from the wrecked vehicle. All four males were apprehended by APD personnel. The four males were identified as **CROCKETT**, Juvenile 1, Juvenile 2 (YOB 2005), and Juvenile 3 (YOB 2007).

13. Following the crash of the red Chevrolet Spark, **CROCKETT** was observed by APD running eastbound from the crashed vehicle, and after a short foot pursuit was taken into

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custody by APD. A search along the path on which **CROCKETT** had fled yielded a Glock-style handgun with no serial number inscribed on the slide or receiver. The firearm was loaded with one 9mm cartridge within the chamber and several additional cartridges within the extended magazine. As reported by APD evidence personnel, the backplate of the firearm appeared to have been modified with an auto sear (a device that makes a semi-automatic weapon fully automatic). The auto sear, however, appeared to be broken, and a different part of the apparent auto sear was located in the red Chevrolet Spark involved in the carjacking and subsequent crash, from which **CROCKETT** had fled on foot. A search of **CROCKETT**'s person subsequent to his arrest also recovered a magazine containing 9mm rounds, and **CROCKETT** was apprehended wearing a black hoodie and black pants.

INTERSTATE NEXUS

14. The victims' vehicles involved in the described carjackings and taken by force are a Nissan Sentra, a Chevrolet Traverse, and a Chevrolet Spark. The vehicles involved in the attempted carjackings were a Chevrolet Silverado and a Toyota Corolla. Based on my training and knowledge, the Nissan Sentra was manufactured in Aguascalientes, Mexico; the Chevrolet Traverse was manufactured in Lansing, Michigan; the Chevrolet Spark was manufactured in Changwon, South Korea; the Chevrolet Silverado was manufactured in either Flint, Michigan, Roanoke, Indiana, or Silao, Mexico; and the Toyota Corolla was manufactured in Blue Springs, Mississippi. Therefore, each of these vehicles traveled in, and affected, interstate commerce before **CROCKETT** and Juveniles 1-2 took them by force from victims Jane Doe 1, Jane Doe 2, and Jane Doe 5; and attempted to take from Jane Doe 3, Jane Doe 4 and John Doe 1.

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CONCLUSION


15. Based on the information contained herein, I believe there is probable cause to charge **CROCKETT** with violations of 18 U.S.C. § 2119 – Carjacking and 18 U.S.C. §924(c), that being use of a firearm in commission of a crime of violence.

16. Supervisory Assistant United States Attorney Sarah Mease reviewed this affidavit for legal sufficiency.

Respectfully submitted,

Sarah Rich
FBI Special Agent

ELECTRONICALLY SUBMITTED AND TELEPHONICALLY
SWORN TO ME ON MARCH 27, 2023:


HONORABLE JOHN F. ROBBENHAAR
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF NEW MEXICO